

Learning Objectives
Students will understand the following concepts:

Historical overview of the juvenile justice system.

Juvenile justice procedures.

Victims' rights within the juvenile justice system.

Initiatives that involve victim/offender programming and creative dispositions.

Victim assistance services in juvenile court.



And What About the Victim? Felt alienated from juvenile justice processes The perceived "cloak of secrecy" was upsetting Victims didn't (and in some cases, still don't) understand the juvenile justice system

And From the Perspective of the Victims' Rights Field?

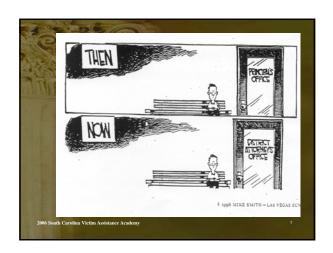
Way busy trying to fix the criminal justice system

Virtually ignored the juvenile justice system until the early 1990s

Victims' rights and services in juvenile justice were, for the most part, non-existent

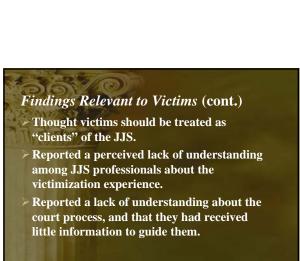
Our own experiences as victims.....

Juvenile violent crime started rising across the nation.....



Historical Perspective Formal distinctions made between CJS and JJS in the early 20th century Every effort was made to divert children from the CJS Still today, many JJS characteristics are distinct from the CJS: Victim advocates must be aware of such distinctions

Recent Research Findings: Project Methodology Four day -long focus groups held regionally across the U.S. in 1997 Nine victims of violent crime and seven victims of property crimes. Twenty juvenile court judges. Allied professionals included public defenders, prosecutors, corrections professionals, and victim advocates.



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Findings Relevant to Victims For virtually all victims, the juvenile court and JJS experience had been negative. Victims were nearly unanimous in their dissatisfaction with the court process. Felt a lack of respect for their dignity as human beings. Felt there was little in the way of acknowledgment of them as victims.

Findings Relevant to Victims (cont.)

Most victims were less interested in punishment for its own sake than in seeing that offenders were held accountable, especially for restitution.

A number expressed strong interest in offender rehabilitation, and several had gotten personally involved in offender treatment programs.

Findings Relevant to Victims (cont.) Cited "information about the case" as most important. Cited "being heard" and "having input" as equally critical. Victims were very open to restorative justice practices, as long as participation is voluntary. Thought restorative alternatives to traditional court processes were needed







Findings Relevant to Juvenile Court Judges (cont.) General consensus that improvements are needed in victim notification, restitution, participation, and victim impact statements While nearly unanimous in support for improving restitution and restorative community service, judges were more mixed in support for restorative justice processes that seek to give victims and others an empowered role in dispositional and diversion decision.



Concerns Unique to Victims of Juvenile Offenders (cont.)

- May hesitate to report feelings of fear, or articulate the need for protection.
- Children victimizing other children affect relationships among those who know the victim *and* offender.
- Schools are increasingly affected by juvenile offenses.
- Limited participatory rights for victims.

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Concerns Unique to Victims of Juvenile Offenders (cont.)

- Confidentiality protections contribute to victim fears and frustration.
- Likelihood of receiving full restitution decreases with the age of the offender
- Restitution orders are often replaced by orders of community service.
- More youthful offenders receive community placements vs. detention

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Concerns Unique to Victims of Juvenile Offenders (cont.)

- Victim services in the JJS are *much more limited* than those in the CJS
- Most trauma response protocols are based upon research of victims of adult offenders.
- ➤ Training and cross-training are limited
- > Parental liability is an issue.
- Differing definitions of "juvenile" in JJS

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Juvenile Justice Procedures

- Age of "youthful offender" may vary
- **Diversion**
- > Probation
- > Community programming
- > Youth detention facilities
- **▶** Parole hearings
- ➤ Parole ("aftercare") supervision

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Victims' Rights in Juvenile Cases

- May vary, and may include:
 - Obtaining status information about the case and offender
 - >Attending court and parole proceedings
 - >Obtaining information about restitution
- Many require "request from the victim"

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Juvenile Offender Confidentiality

- Many states mandate confidentiality for youthful offenders
- Recent trends give certain organizations and individuals (including victims) access to juvenile information and records
- Some states make most information public record

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Core Victims' Rights in the Juvenile Justice System Notification Protection Victim impact statements Restitution



NCJFCJ Nine Critical Elements for a
Comprehensive Victim Service Program

Complete understanding of state statutes
Complete understanding of the
operations of juvenile/family court

Knowledge of whom is responsible for
implementation of statutes

ID personnel who support victims' rights

NCJFCJ Nine Critical Elements for a Comprehensive Victim Service Program (cont.)

Determine role of VSPs
Referral of victims to VSPs
Development of services for victims, and training for staff
Participation in various committees
Program development and program evaluation